

Editor Benjamin Bradlee On Access to 'Secret' Files

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Following is the text of an affidavit filed by Benjamin Bradlee, Washington Post executive editor.

1. I am the Executive Editor of The Washington Post and a defendant in this case. I have been Executive Editor since late 1968. I have been a journalist for more than 20 years including 16 years in Washington for Newsweek and The Post, and four years as Newsweek's European correspondent. From 1951 to 1953, I served in the Foreign Service of the United States as press attache to the American Embassy in Paris, France.

2. The executive branch of the government normally, regularly, routinely and purposefully makes classified information available to reporters and editors in Washington. This information is made available in two ways—in private conversations originated by the reporter or by the government official, and in the infamous backgrounders normally, but not exclusively, originated by the government. This information is made available for many reasons:

- To influence the reporter's story in a manner which the government official believes is in the best interest of his country, his particular branch of government, or his particular point of view.
- To create a climate of public opinion—national or international—favorable to such beliefs.
- To test the climate of public opinion on certain options under deliberation by the government.
- To curry favor with a particular reporter or a particular newspaper.
- To influence the American electorate, and in certain instances a foreign electorate.

When I was a member of the Foreign Service of the United States, in Paris in 1952, I myself was instructed by a superior to leak the contents of a secret cable dealing with a Soviet

note to the American Government. And I did so, to a correspondent of the United Press.

On the other side of the fence, I have received classified information from officials of the executive branch of the Government on literally hundreds of occasions. On virtually all of these occasions the information was made available to me in the knowledge that I would cause the information to be published and it was published. On rare occasions the information was made available to me with the proviso that it not be published and it was not published. On virtually all these occasions the information was made available with some proviso that made identification of the source forbidden—then and now.

I can testify that President John F. Kennedy once read to me portions of a highly classified memorandum of conversation between him and Nikita Khrushchev in Vienna in 1961. I received his permission to use this material, which is still highly classified, and it appeared in Newsweek. His stated purpose was to convince the American public that the Soviet Union was taking an extremely hard, belligerent line on Berlin.

I can attest that I attended a background briefing in the White House theater in April, 1965, in which classified information on the status of American negotiations with Hanoi was disclosed by two high-level Government officials with the purpose of having it printed—without attribution to the briefers. The stated purpose of that briefing was to create a climate of public opinion to better understand a major policy speech by President Johnson later that day.

I can attest that I was present at a session with President Johnson in May, 1968, in which classified information on the war in

Vietnam was made available on the proviso that this information could not be made available without his specific permission. That permission has subsequently been sought and denied. It has not been published.

2. The legislative branch of the government regularly, routinely and purposefully makes classified information available to reporters and editors in Washington. Legislators request and obtain classified information from the executive branch of the government for the purpose of helping them draft legislation. They do not always use it for that purpose. They often use it to defeat legislation they don't like, and they often try to enlist the assistance of the press in their private battle.

For example, I was present in the office of a Congressman in 1958 or 1959, when he gave me a "secret" State Department document about foreign aid. Before he handed the document over he took a pair of scissors from his desk and carefully removed the "secret" label from each page. His stated purpose for giving me this document was to kill the foreign aid bill.

3. In a totalitarian state, where the press is not free, the government uses the press as an instrument of state. The press is restricted to news favorable and advantageous to the state.

In a democracy, where the press is free, there is the normal, productive adversary relationship between the government and the press. The government properly puts forth its case. The press properly reports that case, and just as properly goes deeper.

If there is one fundamental in the principle of freedom of the press, it is that the press cannot be limited to reporting only what is advantageous to the government. The press must be free also to report what may embarrass, displease, or annoy the government.